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**Landscape policy and participative processes: examples at the Flemish level<sup>1</sup>**

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## **1 Introduction**

The European Landscape Convention stresses the importance of public participation in landscape policy in all domains ([Council of Europe 2000](#)). However, when it comes to the implementation of participation, many questions arise. Who are the ‘competent public authorities’ and what are their principles, strategies and guidelines? Who is ‘the public’, what are their ‘aspirations’ and how are these ‘formulated’ by the competent public authorities in ‘landscape quality objectives’? How are the ‘characteristic features’ selected and evaluated, in particular concerning their heritage value?

Since the ELC entered into force in Belgium in 2005, several initiatives were taken to improve landscape management in Flanders Region in a more integrated way and involving more participation, in particular of the different involved sectors. In this paper, we will analyse an example of a procedure of participation at the Flemish level and the outcome of it. The case relates to the preservation of heritage landscapes. The analyses are based on the legal documents in which all responses of different actors and stakeholders are summarized.

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<sup>1</sup> This paper is a short version of: Van Eetvelde, V., Antrop, M., 2011. From Landscape Atlas to Flemish Heritage Landscapes. Using landscape inventories to formulate landscape quality objectives in a participative process. Presented and written for: Landscapes of everyday life. Crossed perspectives on research and action PDD International Conference 16-18 March 2011, Perpignan & Gerona

## 2 Landscape policy in Flanders

### 2.1 Momentum 2001: from the landscape atlas towards an integral landscape policy

Since the gradual federalisation of Belgium, started in 1970, landscape protection and management became the authority of the regions in 1976. In 1995, the Flemish government started a project for inventorying the cultural heritage of the landscapes in the Flemish region. This resulted in the 'Atlas of the relicts of the traditional landscapes of Flanders' (in short the Flemish Landscape Atlas), aiming a more effective landscape conservation policy and applications in environmental impact assessment (Van Eetvelde et al. 2010). The objective of the Landscape Atlas of Flanders was to indicate zones with well-conserved relicts of the traditional landscapes. Four types of relicts were recognized, mapped and described. Relic zones are vast areas containing ancient landscape structures such as settlement and field patterns and land zonings. Anchor places are complexes made by related elements sharing a common history. Linear elements consist of ancient roads, fortifications, water works etc. Punctual elements mainly consist of monuments and architectural important buildings (Antrop and Van Eetvelde 2008). The Atlas was presented in 2001 (Hofkens & Roossens 2001) and simultaneously a new integrated policy was announced for a more integrated landscape management. The overview of the Landscape Atlas surprisingly showed that 39% of the Flemish region still possessed valuable relicts of traditional landscapes (Antrop and Van Eetvelde 2008). Anchor places, considered as unique ensembles, cover 16% of the territory of Flanders, an important improvement compared to the 2% covered by protected landscapes. In January 2012, 40 anchor places have already been designated, 9 are temporary designated and two are been transformed into a heritage landscape.

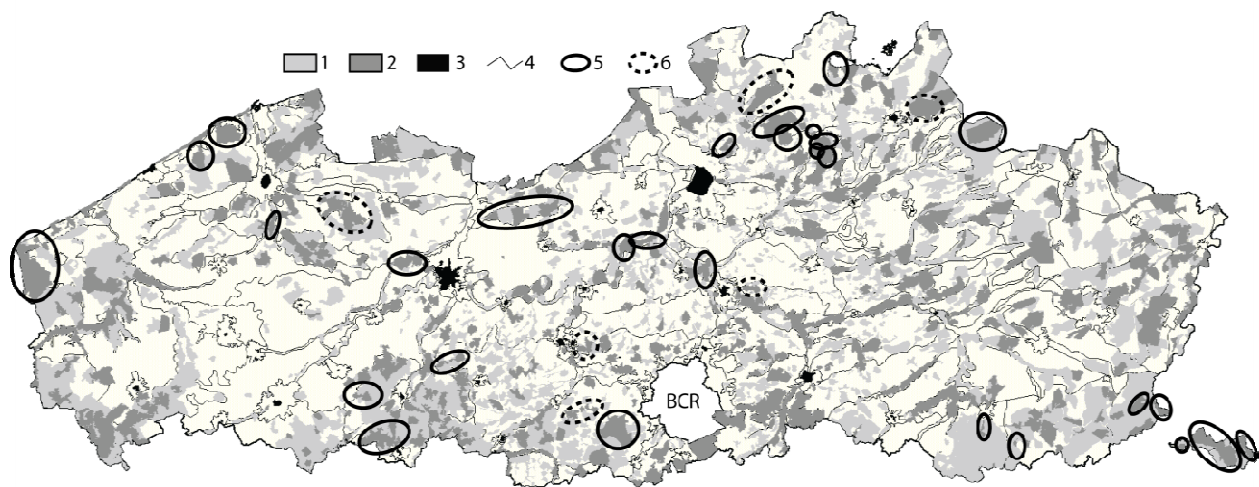


Figure 1: Landscape Atlas of Flanders: (1) relict zones, (2) anchor places, (3) cities 19<sup>th</sup> century, (4) borders of traditional landscapes, (5) designated anchor places and (6) temporary designated ones in 2010.

In the mean time, the law on the protection of landscapes, dating from 1931, was changed and adapted to the new situation in 1996. Since then, the decree was adapted several times, showing the gradual adaptation and implementation of the new integrated approach, changing concepts and new needs. In 2004, the decree was adapted to implement partially the ELC and the Landscape Atlas was recognized as a policy instrument; its category of anchor places was legally

defined and promoted as the most valuable landscapes to become newly defined heritage landscapes. In 2008, the Flemish government decided on new procedure for the designation of anchor places and their implementation in spatial planning to become heritage landscapes. Doing so, landscape policy became integrated into spatial policy like suggested in the ELC.

## **2.2 The Landscape Atlas and anchor places as basis for heritage landscapes**

With the adapted decree of 2004, the anchor places became ‘the most important landscapes’ and consequentially got all priority. A procedure was set up to designate anchor places to become integrated as heritage landscapes in spatial executive plans. In the first phase, the Flemish administrations responsible for landscape protection and management made a selection of anchor places from the Landscape Atlas to be treated in priority. A method was designed with rules to adapt their boundaries to tangible visible features in the landscape and to create compact forms easier to manage. The ‘quality objectives’ are formulated accordingly, i.e. mainly aiming for preserving the natural, historical, socio-cultural, aesthetical and spatial values. The formulation of the quality objectives is entirely done by the Flemish administration competent for monuments, sites, landscape and archaeology, in particular by the civil servants working at the provincial agencies (Agency Immovable Heritage). Their task is not only to describe, assess and define the quality objectives for the protection and management of the heritage, but also to check if these objectives comply with other legislation and policy goals. The scientific quality control of their proposals is done by an independent committee of experts, the Royal Committee for Monuments and Landscapes (KCML). When a proposal is approved, the assessment procedure by sector administrations and the public can start. The public is defined as the residents in the municipalities concerned and the landowners that are directly confronted with the decision. The dossier is submitted for advice to the departments and agencies of the Flemish administration responsible for spatial planning, land planning, economy, nature conservation, agriculture, water management, tourism and recreation and infrastructure, as well as to the municipalities and provinces which are concerned. These have now 90 days to respond, if not their advice will be considered as being positive. Consecutive, the Royal Committee for Monuments and Landscapes is asked to formulate a motivated advice within 90 days. Then, the definitive designation of an anchor place is officially published and this engages the public authorities at all levels of governance, but not the citizens. Phase 2 of the procedure consist of embedding the designated anchor place in spatial execution plans following the rules and procedures of spatial planning. Here a second round of participation starts where in involvement of the local public is more important. Then the result engages also individual landowners and users.

## **3 Analysis: evaluation of the participative process in the designating of anchor places for heritage landscapes**

The first case study looks at the designation of anchor places where only public authorities are engaged by the decision. Twenty-five dossiers of designated anchor places were available for analysis.

In the first phase only authorities are engaged in setting the appropriate planning and management objectives and is not legally binding for individual landowners. Participation mainly consists of approval, comments, suggestions or objections by public authorities from

different sectors and governance levels. Nevertheless, in some cases and although not compulsory, administrators and municipal authorities did also inform individual landowners and accepted their reactions on the proposal as well and often slight modifications to the proposal were adopted. Practice showed that it was beneficial for the implementation to inform the stakeholders soon in the process. The first time this can happen during the preparation of the proposal, when consultants of the administration (Agency Immovable Heritage) take the initiative to discuss the proposal already with stakeholders in different sectors, in the municipalities and with landowners before they intend to submit it officially. The second external input is the evaluation to the Royal Committee of the preliminary proposal which acts as a scientific quality control and, if necessary, alters the proposal. Only after approval by the Royal Committee, the proposal is sent to the Flemish government and the legal procedure for participation starts. Doing so, many problems are anticipated. This is consistent with [Jones \(2007\)](#) that the major challenge is to get the public involved early, before implementation, to be really effective.

Twenty-five dossiers which completed the procedure of the first phase were analysed. These dossiers report on the procedure so far, summarising the advices, objections and suggestions collected and give responses by the responsible administration on these, which can be acceptance and correction, or rejection when not justified or valid. The final conclusions give the final designation and formulate the final quality objectives. Not all dossiers have the same consistent format and the responses by the local authorities are not always clear. The analysis demands careful interpretation. The responses were grouped in different categories.

Clearly the Flemish governance level dominates the participation procedure, and then comes the provincial level, which is mainly in favour of the proposals. It should be noticed that the municipal level is not always consulted.

The complex structure of the Flemish public administration makes that different departments and agencies from the same policy domain are asked to formulate advices. However this does not happen systematically and concerted recommendation are not always made. Consequently, contradictory recommendations and advices are possible within one policy domain. Policy domains with many departments and agencies have a larger weight as they give more recommendations. This is the case for the policy domains Environment, Nature and Energy (LNE) and Mobility and Public Works (MOW).

The rule is that 'no reply' within the legal response time of 90 days is considered as a positive recommendation. Consequently, most administrations do not reply within this time. The policy domain Economy and Innovation (EWI) even never replies. Some departments and agencies do consider themselves not involved in the matter and reply as such or send the demand to others. For example the Department International Flanders (DiV) always replies that the external agency Tourism Flanders (TV) will handle the case. Many give recommendations with a lot of comments and suggestions but no clear yes or no. However the comments suggest they are positive towards the proposal. In most cases, these are standard responses with recommendations. Many give conditional positive advice in the style of "we accept, but only when...". This is mostly the case in the sectors agriculture (DLV) and infrastructure (DMOW, AWV, W&Z) and nature (ANB).

Important differences exist between provinces and municipalities. Only one anchor place extends over two provinces, but up to seven municipalities can be concerned. Of course landscapes can be very different as well as local contexts, but also the way the procedure is followed and in particular the effort that is made can be very different. Most striking is the way municipalities handle public participation. The municipal level is free to organise public inquiries to collect criticism and comments from the population. At this level of the procedure this is not compulsory. It happened only for 5/25 cases and 8/61 municipalities reported on the. Often the municipal council follows the negative advice of its people. Most negative advices come from the local municipal level (often as response on criticism by individuals or local organisations). Some municipalities give negative advice for principal reasons that have nothing to do with the case. They express an general opinion at the municipal level that the Flemish governance level 'dictates' to much top-down and uses the subsidiary principle to give more and more tasks and obligations to the local level without however supplying extra financial means. Sometimes they also complain of lack of participation which however is not justified. Finally, it should be noticed also that the reply of the locals is not always negative: some ask more explanation, give suggestions or even congratulate the initiative.

## 4 Discussion and conclusions

The two cases from the Flemish practice show that participation has multiple meanings in its implementation and can take several forms as described by [Jones \(2007\)](#) and [Jones and Stenseke \(2011\)](#). In Flanders, participation is mainly defined in the legal procedure for designating protective or special areas. However, on some occasions informal non-mandatory participation happens at the initiative of the responsible administrator for handling a proposal. In most cases this results in positive responses, in particular when it occurs at the beginning of the procedure. Concerning the involvement of experts and the public, our conclusions are consistent with the observations of [Jones \(2007\)](#) that experts (including the 'competent authorities') the experts dominate in a top-down procedure.

In the case of designation of anchor places to be proposed as heritage landscapes, we can at this moment only analyse the first phase in this long procedure, i.e. the designation of anchor places and formulation of their landscape quality objectives. These are mainly defined by the 'competent public authorities' and successively submitted to other sector stakeholders at regional (Flemish) level and to the general public at local level. Their responses rarely alter these quality objectives. Most of the administrations act as mouthpiece for the sector they serve. For example, the Department Flanders International (DiV) agency always delegates the participation to Tourism Flanders (TV), which always reply positively but adding a lot of suggestions for the benefit of outsiders as tourists and visitors. We could call this indirect participation. In general, participation resumes in the case of designating anchor places mainly to participation by consultation according to the typology of [Pretty \(1995\)](#) and to informing and consultation according to the typology of [Zachrisson \(2004\)](#) (in Jones 2007) but on a broad spectrum of stakeholders through the administrative structure. In this first phase, the participation of locals remains limited as the decisions are only binding for the public authorities. It is expected that the involvement of the local public will be more important in the second phase when designated

anchor places well be defined as heritage landscapes in local spatial plans with obligations for everyone.

According to [Prieur and Durousseau \(2006\)](#) the term ‘public’ should be taken to mean civil society in the broad sense, which means that public participation complements official decision-making by involving individuals and groups who are otherwise outside the formal decision-making process, including individuals regardless of their place of residence’. In the two Flemish cases participation of different sector groups mainly happens through the official administrations which act as ‘experts’ and ‘representatives’ of the interest of the sector. The commitment of the governance levels varies a lot also between different provinces. Although the direct participation by individuals remains limited, often to property owners only, it still has a great impact on the final decision.

## 5 References

- Antrop, M., Van Eetvelde, V., 2008. The implementation of the Landscape Atlas of Flanders in the integrated spatial planning. In: Berlan-Darqué, M., Luginbühl, Y., Terrason, D. (Eds.) *Landscape: from knowledge to action*, Editions Quae, pp. 137-145
- Council of Europe (2000). European Landscape Convention (ETS No. 176): Explanatory Report. <http://conventions.coe.int/Treaty/EN/Reports/Html/176.htm>.
- Hofkens E, Roossens I (eds), 2001. Nieuwe impulsen voor de landschapszorg. De landschapsatlas, baken voor een verruimd beleid. Ministerie van de Vlaamse Gemeenschap, Afdeling Monumenten en Landschappen, Brussel.
- Jones, M., 2007. The European Landscape Convention and the question of public participation. *Landscape Research*, 32, 613-633.
- Jones, M., Stenseke, M. (Eds.), 2011. *European Landscape Convention: The Challenge of Participation*. Springer.
- Pretty, J. N., 1995. Participatory learning for sustainable agriculture, *World Development*, 23(8), 1247 – 1263.
- Prieur, M., Durousseau, S., 2006. Landscape and public participation. In *Landscape and Sustainable Development: Challenges of the European Landscape Convention*, pp. 165-207. Strasbourg: Council of Europe Publishing.
- Van Eetvelde V., Van De Velde L., Sevenant, M., Antrop, M., 2010. Landscape Atlas of Flanders+10: a decade of experiences outlining integrated landscape research for the future. In: Uniscape, 2010. *Living Landscape. The European Landscape Convention in research perspective*. Scientific Conference Florence+10, pp. 305-315
- Zachrisson, A. (2004). *Co-management of Natural Resources: Paradigm Shifts, Key Concepts and Cases*, Mountain Mistra Programme report, Report no. 1. Umeå: Mountain Mistra Programme.